

Federal Communications Commission

DA 04-1347

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May 28 6 50 AM '04

Before the
Federal Communications Commission
Washington, D.C. 20554

DISP. TEL. 1-800-477-9912

In the Matter of

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Amendment of Section 73.622(b),

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MB Docket No. 04-16

Table of Allotments,

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RM-10840

Digital Television Broadcast Stations.

)

(Roswell, New Mexico)

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REPORT AND ORDER
(Proceeding Terminated)

Adopted: May 13, 2004

Released: May 28, 2004

By the Chief, Video Division:

1. At the request of Eastern New Mexico University ("ENMU"), licensee of station KENW-TV, Portales, New Mexico, the Commission has before it the Notice of Proposed Rule Making, proposing the allotment and reservation of DTV channel *31 for noncommercial use at Roswell, New Mexico. ENMU filed comments reaffirming its interest in applying for the new noncommercial channel at Roswell, if allotted. No other comments were received.

2. We believe the public interest would be served by allotting DTV channel *31 since it will provide the community of Roswell with its first noncommercial television station. DTV channel *31 can be allotted to Roswell, New Mexico, as proposed, in compliance with the principle community coverage requirement of Section 73.625(a) and the minimum geographic spacing requirements of Section 73.623(d) at coordinates 33-19-56 N. and 104-48-17 W. Since the community of Roswell is located within 275 kilometers of the U.S.-Mexican border, concurrence from the Mexican government has been received for this allotment.

3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective July 12, 2004, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Roswell, New Mexico	28c, *31, 38 41

4 A separate *Public Notice* will be issued announcing the window period for filing applications for DTV channel *31 at Roswell, New Mexico.

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

6. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau